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An Independent Scotland and the European Union

Citation for published version:

Tierney, S, An Independent Scotland and the European Union, 2013, Web publication/site, Future of the UK and Scotland Blog.

Link:

[Link to publication record in Edinburgh Research Explorer](#)

Document Version:

Publisher's PDF, also known as Version of record

Publisher Rights Statement:

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White Paper reflections - European Union



by Stephen Tierney, ESRC Fellow, University of Edinburgh

An Independent Scotland and the European Union

According to the White Paper an independent Scotland would seek to join the European Union, with negotiations ideally concluding by Independence Day 24 March 2016, resulting in a seamless transition from membership as part of the UK to membership as an independent state. The process of achieving membership has been a thorny one for the Scottish Government and it is revisited in the White Paper. It seems to be conceded by the Scottish Government that Scotland would need to apply for new membership, but it is claimed this process would not need the formal, lengthy and difficult accession process used by states joining from outside the Union (Treaty of European Union Article 49). It accepts that it would be for the Council of the European Union (meaning in effect its Member States), together with the European Parliament, to determine most appropriate procedure, but in addition, the White Paper does suggest a simplified route to membership through Article 48 of the EU Treaty. This would allow Scotland to join the EU by way merely of a Treaty amendment. This would still need the assent of the governments of Member States but would seem to be easier than the more formal membership route through Article 49.

The White Paper also discusses opt outs. It is proposed that the division of the UK rebate until 2020 is a matter between UK and Scottish Governments and does not need to be reopened at EU level;

this may well be open to question. Scotland will remain within the UK Sterling zone through a currency union. It does not at present qualify for, and in any case there is no appetite to join, the Eurozone. An independent Scotland will not apply for membership of the Schengen Area but will seek to remain a part the Common Travel Area, entering into negotiations with the UK and Irish Governments on common standards across the CTA. Finally, the Scottish Government will, in negotiations, seek to retain current option to opt-in to Justice and Home Affairs.

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**James Mackie** • 5 months ago

Bit out of date now that cu is out the window. Isnt there a legal requirement to have a currency a lender of last resort and a constitution already in place before even applying.

Good luck on the 16 months duration. Just remind me how long and how much holyrood and the trams took??

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University of Edinburgh

26th November 2013



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